

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF YOUTUBE, LLC

09 Civ. 7073 (DLC)

Related to

UNITED STATES OF AMERICA,

41 Civ. 1395 (DLC)

Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,

**NOTICE OF MOTION TO
APPEAR *PRO HAC VICE***

Defendant.

PLEASE TAKE NOTICE that upon the accompanying affidavit of J. Matthew Williams, Esq., executed on August 28, 2009, the certificate of good standing attached thereto, and the accompanying affidavit of Jane G. Stevens, executed on September 2, 2009, American Society of Composers, Authors and Publishers ("ASCAP"), by its attorneys Mitchell Silberberg & Knupp LLP, will move this Court before the Honorable Denise Cote, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be determined, for an order pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York admitting J. Matthew Williams, Esq., to practice before this Court *pro hac vice* in the above-captioned matter on behalf of ASCAP.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested herein shall be in writing, shall state with particularity the grounds for the objection, shall be filed in accordance with the Federal Rules of Civil Procedure, the Local Civil Rules of the

United States District Courts for the Southern and Eastern Districts of New York and the individual practices of the Honorable Denise Cote, and shall be served upon the undersigned counsel within ten business days after service of the moving papers. If no objections are filed, the Court may grant the relief requested without further notice or hearing.

DATED: New York, New York
September 2, 2009

MITCHELL SILBERBERG & KNUPP LLP

By: 

Jane G. Stevens (JS5869)
12 East 49th Street, 30th Floor
New York, New York 10017-1028
Telephone: (212) 509-3900
Facsimile: (212) 509-7239

*Attorneys for American Society of
Composers, Authors and Publishers*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF YOUTUBE, LLC

09 Civ. 7073 (DLC)

Related to

41 Civ. 1395 (DLC)

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,

Defendant.

**AFFIDAVIT OF JANE G. STEVENS IN
SUPPORT OF MOTION TO APPEAR *PRO
HAC VICE***

JANE G. STEVENS, being duly sworn, states as follows:

1. I am member of the law firm Mitchell Silberberg & Knupp LLP, counsel for American Society of Composers, Authors and Publishers ("ASCAP"), in the above-captioned action. I submit this affidavit in support of the motion, pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an order granting J. Matthew Williams, Esq., admission to the bar of this Court *pro hac vice* for the purpose of allowing him to participate in the representation of ASCAP in the above-captioned matter, and to appear before this Court. I state all of the following based on my personal knowledge.

2. Mr. Williams is an associate in the Washington, D.C. office of Mitchell Silberberg & Knupp LLP, located at 1818 N Street, N.W., 8th Floor, Washington, D.C. 20036. He is a person of integrity that is experienced and familiar with the matter which is pending

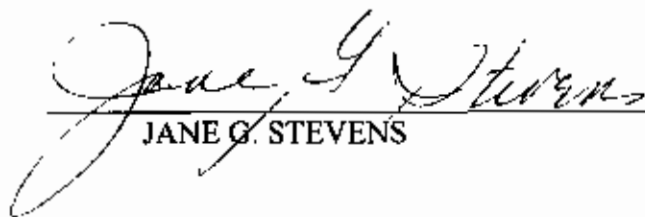
before this Court. I have attached hereto as Exhibit A hereto an affidavit signed by Mr. Williams submitted in support of the motion.

3. Mr. Williams is a member in good standing of the Bar of the District of Columbia and is admitted to practice before the United States District Court for the District of Columbia, the United States Court of Appeals for the District of Columbia Circuit and the United States Court of Appeals for the Second Circuit. There are no pending disciplinary proceedings against him in any State or Federal court. A Certificate from the District of Columbia Court of Appeals stating that Mr. Williams is a member in good standing of the Bar is attached to Mr. Williams' affidavit.

4. No previous application has been made for the relief requested herein.

5. Accordingly, I respectfully request that J. Matthew Williams be admitted to the Bar of this Court *pro hac vice*, and I respectfully attach a proposed order to that effect hereto as Exhibit B.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.


JANE G. STEVENS

Sworn to before me this
2nd day of September, 2009


NOTARY PUBLIC

ALESSANDRA LOVREN
NOTARY PUBLIC, STATE OF NEW YORK
NO 31-4981830
QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES MAY 20, 20 11

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF YOUTUBE, LLC

09 Civ. 7073 (DLC)

Related to

41 Civ. 1395 (DLC)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**AFFIDAVIT OF J. MATTHEW
WILLIAMS IN SUPPORT OF MOTION
TO APPEAR *PRO HAC VICE***

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,

Defendant.

J. MATTHEW WILLIAMS, applicant herein for admission *pro hac vice*, being
duly sworn, states as follows:

1. I am an associate with the law firm Mitchell Silberberg & Knupp LLP, 1818 N
Street, N.W., 8th Floor, Washington, D.C. 20036. I state all of the following based on my
personal knowledge.

2. I was admitted to practice law in the District of Columbia on December 11, 2006.
A certificate of good standing from the District of Columbia Court of Appeals, issued on August
5, 2009, is attached hereto as Exhibit A.

3. In addition to being admitted to practice law in the above jurisdiction, I am also a
member in good standing of the bars of the following federal courts: United States District Court
for the District of Columbia; the United States Court of Appeals for the District of Columbia
Circuit; and the United States Court of Appeals for the Second Circuit.

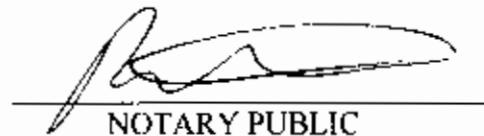
4. I respectfully submit that my admission and good standing in the above listed jurisdiction and courts qualifies me to practice before this Court *pro hac vice* in the above-captioned matter, in accordance with Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York.

5. I have never been sanctioned for violation of any New York statutes or Court rules and there are no pending disciplinary proceedings against me in any State or Federal Court.

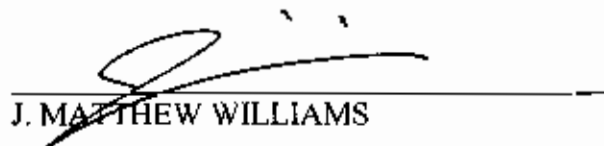
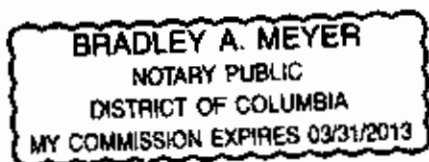
WHEREFORE, your applicant respectfully requests to be admitted to practice before this Court *pro hac vice* in the above-captioned matter on behalf of Defendant.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Sworn to before me this
28 day of August, 2009



NOTARY PUBLIC



J. MATTHEW WILLIAMS



District of Columbia Court of Appeals
Committee on Admissions
130 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

JOHN M. WILLIAMS

was on the 11TH day of DECEMBER, 2006

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on August 5, 2009.

GARLAND PINKSTON, JR., CLERK

By: *M. Charles*
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF YOUTUBE, LLC

09 Civ. 7073 (DLC)

Related to

41 Civ. 1395 (DLC)

UNITED STATES OF AMERICA,

Plaintiff,

**[PROPOSED] ORDER FOR ADMISSION
PRO HAC VICE**

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,

Defendant.

Upon the motion of Jane G. Stevens, attorney for American Society of Composers, Authors and Publishers ("ASCAP"), and said sponsor attorney's affidavit in support, and the affidavit of J. Matthew Williams in support;

IT IS HEREBY ORDERED that J. Matthew Williams of Mitchell Silberberg & Knupp LLP, 1818 N St. NW, 8th Floor, Washington, D.C. 20036, is admitted to practice *pro hac vice* as counsel for ASCAP in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. This action is assigned to the Electronic Case Filing (ECF) system, and counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated:
New York, New York

United States District Judge

AFFIDAVIT OF SERVICE

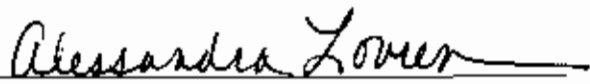
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Alessandra Lovren, being duly sworn, deposes and says:

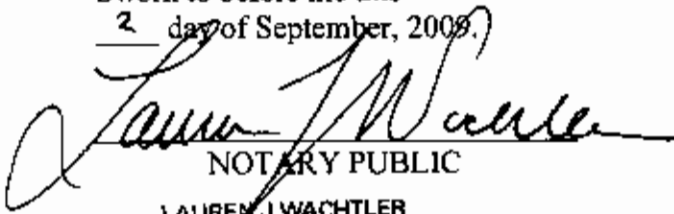
1. I am not a party to this action, am over the age of 18 and reside at 6106 Highland Place, West New York, NJ 07093.

2. On September 2, 2009, I served a copy of a Notice of Motion to Admit Counsel *Pro Hac Vice*, Declaration of Jane G. Stevens in Support of Motion for Admission of J. Matthew Williams *Pro Hac Vice*, Declaration of J. Matthew Williams Support of Motion for Admission *Pro Hac Vice*, Certificate of Good Standing, and [Proposed] Order for Admission *Pro Hac Vice* on Written Motion by electronic mail and regular mail upon:

Kenneth L. Steinthal, Esq.
Weil, Gotshal & Manges LLP
767 First Avenue
New York, NY 10153
kenneth.steinthal@weil.com


Alessandra Lovren

Sworn to before me this
2 day of September, 2009.


NOTARY PUBLIC
LAUREN J. WACHTLER
Notary Public, State of New York
No. 5011538
Qualified in Westchester County
Term Expires April 19, 2011